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February 12, 2024

BY FEDERAL EXPRESS AND EMAIL

Roberto Guzman
780 Greenwich Street, 2C
New York, NY 10014
robertoaguzman@gmail.com

David Khouri
86 Forsythe Street, 6th Floor
New York, NY 10002
davidhkhouri@gmail.com

**Re: *Demand to Cease and Desist Infringement of KGB NY LLC's
Intellectual Property and Proprietary Materials***

Dear Mr. Guzman and Mr. Khouri:

As You are aware, we are attorneys for KGB NY LLC ("KGBL"). We write regarding Your improper and unauthorized publication and usage of KGBL's intellectual property and proprietary materials. This notice demands that You immediately cease and desist from such activities and comply with KGBL's other requirements as set forth in this letter.

As You also know, KGBL is a designer and manufacturer of handcrafted furniture, and its products and customers are of substantial commercial value to KGBL.

Firstly, Your website, www.guzmankhouri.com (the "Website"), features furniture which unlawfully infringed KGBL's copyrighted furniture designs (the "Copyrighted Designs"). Additionally, upon information and belief, You have announced the launch of Your Website via email to email addresses gleaned from KGBL's customer database (the "Proprietary Customer Data").

The aforementioned Copyrighted Designs and Proprietary Customer Data are exclusively owned by KGBL. Nevertheless, You have used the Copyrighted Designs and Proprietary Customer Data without obtaining KGBL's consent or permission (the "Infringing Activity"). Accordingly, You must immediately cease the Infringing Activity.

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KGBL treats unauthorized use of its copyrights and proprietary materials as a very serious matter and fully enforces its rights against any and all unauthorized usages. We therefore demand that You:

1. Immediately cease and desist from all further usage, circulation, production, reproduction, and/or publication of KGBL's Copyrighted Designs and Proprietary Customer Data; and
2. Destroy all such Copyrighted Designs and Proprietary Customer Data in Your inventory or otherwise in Your possession or control.

We ask that You or Your counsel provide KGBL with written confirmation that You will comply with these demands **within five (5) business days of Your receipt of this letter.** Any failure or delay in complying with these demands will likely compound the damages for which You may be liable.

Please be advised that if we do not receive a satisfactory response from You, KGBL reserves the right to take legal action, including filing an amended complaint in the currently-pending action *KGB NY LLC v. Roberto Guzman, David Khouri, and Cultum Studios*, Civil Action No. 1:23-cv-10979-PAC to assert additional claims seeking damages for Your use of KGBL's Copyrighted Designs and Proprietary Customer Data as outlined in this letter.¹

This letter is sent without prejudice to KGBL's rights and claims, which are expressly reserved.

We look forward to receiving Your timely response and confirmation of Your compliance with the within demands.

Very truly yours,

TARTER KRINSKY & DROGIN LLP



Brian A. Bloom

cc: David Adler, Esq.
KGB NY LLC

¹ Mr. Guzman and Mr. Khouri have been served with the Summons and Complaint in this action and shall file an answer or otherwise respond on or before February 22, 2024, and February 20, 2024, respectively.